

I J. M. Hescath of the County of Brunswick and State of North of North Carolina, being feeble in body but of sound Mind and judgment, and knowing the uncertainty of life, and being anxious to make such disposition of my property as will best and most surely secure to my family a comfortable support after my death, do make, publish and declare this the following to be my last Will and Testament, hereby revoking and declaring null and void, all other Wills, and Testaments by me heretofore made.

Firstly

I give and bequeath to my wife Amanda C. Hescath a life time right to all my Real & Personal Estate at my death, to be under her control, to be kept together, and used entirely for the benefit of the family at home; and no part thereof in any manner disposed of except to live, and even the old for increased may be sold, and the proceeds be devoted to the Comfort and benefit of the family. And wood sufficient for family use and a little sold occasionally to raise money to aid in the family expense, and some timber cut to feed the fairs only, and at the death of Amanda C. Hescath to be disposed of as hereinafter provided.

Secondly

I give and bequeath to S. J. Hescath the farm on which I now reside, and owned formerly by John H. Shaw and S. P. Sharp, and located three (3) miles from the City of Southport, and also a tract of land adjoining the above described land and adjoining the old homestead which I purchased of Jas. Cameron and located on the North side of said homestead and on the East side of the road known as Lewis Hescath road and owned recently by S. H. Hescath dec'd. Provided that the said S. J. Hescath shall take care of and support the surviving members of the family that are now single and may continue so, and desire to claim the premises as a home. and should the said S. J. Hescath willfully fail to take care of and support the said family, or should he die, I desire that my son J. A. Hescath of Southport take the premises upon the same terms and conditions that they are given to the said S. J. Hescath in the above. With in the event that neither S. J. Hescath nor J. A. Hescath care for the family as herein provided, I desire that the property shall go to Emma J. Hescath, Henrietta Hescath, Mattie A. Hescath, Cora S. Hescath, Annie A. Hescath and Nora A. Hescath, or such of them as may live and remain single and claim the premises as a home.

Thirdly

I also give and bequeath to J. J. Hescath the stock of cattle and hogs and the corn and which is as follows. Under down in the small barn and which shall be as follows.

Fourthly

I give and bequeath to Emma J. Hescath, Henrietta Hescath, Mattie A. Hescath, Cora S. Hescath, Annie A. Hescath and Nora A. Hescath my daughter, my old homestead bought of Jas. Cameron, and recorded in the records of Brunswick County in Book 27 pages — in two tracts 34 & 37 acres each making 94 acres in all. Also the tract of land known as the Robeson field on land, and known many years ago as the Luke P. Shaw land and recently known as the Jeremiah Hescath dec'd land, and purchased by me from John B. Hescath Commissioner in the sale of Jeremiah Hescath land, and also come to me by quit claim deed from Mrs. Margaret S. Hescath by deed on the records of Brunswick Co, dated Sept. 1898. Also the Blount Archy land purchased by me of him, and adjoining the lands of C. R. Drew, running with his line from Horse Pen Drain to Little Maney's Creek, on perhaps the large knob, provided that the old homestead land shall not be demised or sold so long as any of the parties to whom it is bequeathed shall remain single, unless in the judgment of Executors to the Will it should be sold for the best interests of all the parties concerned, and in the event of the death or marriage of either, it goes to the single or surviving ones. Provided to, that the Robeson and Archy Blount land shall not be divided or sold not earlier than the year 1901 June 30 and not then, unless the Executors in their judgment think at that time it may be entirely in the interest of the parties to whom said land is bequeathed. And in the event of the death or marriage of either it shall be the property of the surviving ones. Reserving and excepting about thirty (30) acres of the Archy Blount tract which I desire that Sarah J. Skippes and Mary C. Sharp shall have with the same provisions as above described and described as follows to wit running with C. R. Drews line from Horse Pen Drain to Maney's Creek lying on the North side of said Creek, and on the North side of said Drain to be legally measured.

Fifthly

I desire that S. J. Hescath shall all of the hogs horse farming implements tools &c upon the same terms & conditions, that the other property has been bequeathed to him, and to go to J. A. Hescath, should S. J. Hescath die, or fail to comply with the requirements of this Will.

Sixthly

I give & bequeath to the parties named in the 4th clause of this Will, the Watts and mark, marked, Under square and upper below the right ear. Crop & split in the left school is my proper corn mark, except two that was given to Nora A. Hescath by other parties. Provided that the stock shall remain on the place as a benefit to the family so long as any of them shall remain single, and keep the place as a home, except to live, and even the old for increased may be sold for the benefit of the parties to whom the stock is given and all means must go for their benefit.

Seventhly

I desire that my part of Jeremiah Hescath dec'd of battle shall go to all the parties named in the 4th clause of this Will.

Eightly

Ninethly

Tenthly

Eleventhly

Twelfthly

to S. J. Wescott to be kept and not destroyed except same be sold for increased, and then may be sold for the benefit of the family at home and the increase from said stock go to the parties to whom they are bequeathed. I desire that my house held and kitchen furniture, excepting the Organ and the best bed room set, go to Emma J. Wescott, Grace A. Wescott, Minnie A. Wescott and New A. Wescott equally, not to be disturbed or removed so long as the family reside on the place and should need them for comfort.

I desire that Mattie A. Wescott and Hannie A. Wescott have the Organ and that New A. Wescott have the best bed room set provided that the same is not taken from the premises but remain as long as the family are on the place and need said furniture.

I desire that the Policy on Amanda C. Wescott's life and made payable to me shall go in the event of her death one half to S. J. Wescott and he keep the Policy up while she lives and the other half to the Children mentioned in the 4th clause of this Will.

I will nominate, constitute and appoint S. J. Wescott and S. J. Wescott Executors to this my last Will and Testament to carry the same into effect according to its true intent and meaning.

I desire that J. A. Wescott have one cow out of my old stock to be selected by S. J. Wescott.

In testimony whereof, I have hereunto set my hand and seal this 8th day of Sept. 1892.

S. J. Wescott (Seal)

Signed sealed published and declared by the Testator to be his last Will and Testament in presence of us who at his request and in his presence have hereunto set our names as subscribing witnesses.

D. J. Watson
A. J. Robbins

State of North Carolina,

Superior Court } ss. In the Superior Court.

A paper purporting to be the last Will and Testament of S. J. Wescott deceased is exhibited before me, the undersigned, Clerk of the Superior Court for said County, by S. J. Wescott the executor therein mentioned, and the due execution thereof by the said S. J. Wescott is proven by the oath and examination of D. J. Watson and A. J. Robbins the subscribing witnesses thereto, who being duly sworn, doth depose and say, and each for himself deposes and swears, that he is a subscribing witness to the paper writing now shown him, purporting to be the last Will and Testament of S. J. Wescott that the said S. J. Wescott in the presence of the deponent subscribed his name at the end of said paper writing, which is now shown as aforesaid, and which bears date of the 8th day of September 1892.

And the deponent further saith, That the said S. J. Wescott the testator aforesaid, did at the time of subscribing his name as aforesaid declare the said paper writing to be subscribed by him and exhibited to be his last Will and Testament, and the deponent did thereupon subscribe his name at the end of said Will, as an attesting witness thereto, and at the request and in the presence of said testator. And this deponent further saith, that at the said time when the said testator subscribed his name to the said last Will as aforesaid, and at the time of the deponent's subscribing his name as an attesting witness thereto, as aforesaid, the said S. J. Wescott was of sound mind and memory, of full age to execute a Will, and was not under any restraint, to the knowledge, information or belief of the deponent. And further these deponents say not.

D. J. Watson
A. J. Robbins

Solemnly sworn and subscribed,
this 10th day of May 1895, before me,
C. P. Tharp

Clerk Superior Court